

R E M A R K S

The new claims 1, 2 and 3-14 are substantially co-extensive with the claims 15, 16 and 3-14 which were active in the parent application Serial No. 09/123,759. The claims 15-20 were not pending in the parent application.

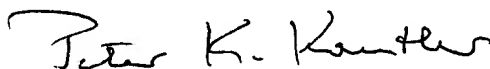
All claims which are active in the present continuation-in-part application are believed to patentably distinguish over the disclosure in US patent No. 3,530,577 to Franklin et al. (hereinafter Franklin) because they recite that the tool (such as 11) has at least one at least substantially straight cutting edge. As applicants see it, the tool (such as 17) in the apparatus of Franklin does not have at least one straight cutting edge. In fact, the teaching of this reference leads away from the matter of the claims which are active in the present application. Thus, Figs. 1, 3 and 14 of Franklin show tools with pairs of teeth. Applicants believe that, in order to establish a straight cutting edge, a tool must have at least three teeth with tips contacting or closely adjacent a straight line. Fig. 11 of Franklin shows a tool with two discrete rounded (almost semicircular) material removing edges 27A, and Fig. 12 of the reference shows a "blunt faced, generally cylindrical implement 27B" (col. 7, lines 31-32), i.e., an implement which cannot have a straight or

substantially straight cutting edge. Therefore, applicants believe that all claims which are active in the present case patentably distinguish over the teaching of the Franklin reference.

Applicants believe that the formulation of claims 1-20 is in conformance with the decision by the CCPA in *In re Venezia* (189 USPQ 149).

A favorable Action on the merits of claims 1-20 at a reasonably early date is earnestly solicited.

Respectfully submitted,



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